

## Observations & Conclusions:

1. The committee observes that curfew was imposed in the cities of Miraj-Sangli-Ichalkaranji. after the damage was done during the communal disturbance. The duration of the curfew was unreasonable and it caused great hardship to common people.
2. The committee observes that during the period of curfew many innocent citizens, particularly youth were picked up and illegally detained by the police. They are facing prosecution for serious criminal offences. It is alleged that out of the total number of arrested accused 60% are Hindu youth which has led to a feeling of resentment amongst the majority community.
3. The committee observes that people at large are unhappy and angry against police excesses and there is a atmosphere of mistrust and suspicion in the mind of ordinary citizen against the police.
4. The committee was informed that there are incidents were accused were arrested were kept without food and water for 24 hours and not produced before magistrate as required by law.
5. The committee was informed that there are allegations that the all male police assaulted women from a dalit settlement near Sathe Wadi at Miraj and also caused damage to furniture's and fixtures.
6. The committee was informed that there is allegation against the police that 3 young boys working for a social organisation called "Sanatan Prabhat" were traveling in a van full of newspaper when they were accosted by local police and taken into custody for illegal possession of weapons and for charges of rioting etc. The young boys highly educated in the age group of 18-20 years were slapped with serious criminal charges without any evidence. This is a clear case were the police has falsely implicated innocent citizens who have not committed any offence at all.
7. The committee was informed that the Divisional Magistrate of Miraj directed the arrested Hindus to provide two sureties from the Muslim communities and the arrested Muslim to provide two sureties from the Hindu community to secure bail. This direction is illegal unconstitutional and violative of fundamental rights and hence it was struck down by the court at Miraj.
8. The committee was informed that several people active in a social field were unnecessarily externed and prevented from entering their own district / taluka without following due process of law.
9. The committee was informed that the civic administration failed in informing the people at large in advance about the curfew timings because of which people were caught unawares and subjected to brutal lathi charge by police. During one such lathi charge Prof. Appa Bhisure, a local teacher sustained serious injuries and ultimately died as a result of a injury.
10. The committee was informed that on 10th Sept. 2009, one Umesh Mahadev Dange of Ichalkaranji was at his home when police barged into his house and severely assaulted him in presence of his children. Shri Dange died as a result of injuries sustained during the brutal assault. However the police authorities maliciously tried to create to picture that Shri Dange died as a result of massive heart attack in fact the police did not even allow a proper funeral to be held and hurriedly disposed of a dead body.
11. The committee was informed that an organisation by the name of "Jeevan Mukti Seva Sanstha" is engaged in work of providing service to common people at Ichalkaranji. There is a allegation against the police certain volunteers of the said Jeevan Mukti Seva Sanstha were beaten up by the police and their curfew passes were torn by the police.

12. The committee was informed that one Shri Rajendra Shinde, ex-mayor of Ichalkaranji was a witness to a brutal murder of one Vasant Avghade at the hands of rioters. However despite making complaints to the police, his complaint was not even registered and the police refused to investigate into the matter. There are also allegation against the concerned police inspector that after 3 days post the incident he again assaulted Shri. Rajendra Shinde and booked him under false offences.
13. The committee was informed that although Shri. Suresh Halwankar, Group Leader, Ichalkaranji Municipality was at the forefront of peace efforts during the riots, a senior police officer alongwith 150 police officers barged into the house and assaulted his family members. Suresh Halwankar was subsequently arrested and booked for serious criminal offences.
14. Some volunteers of (Police Mitra) a group formed with the permission of police authorities have alleged to have created terror and assaulted innocent people without any authority of law. It is shocking that the police have given the authority to such groups of unruly elements to take law into their own hands and to create terror amongst citizen.
15. There is a feeling of mistrust and suspicion amongst the members of both communities regarding the high- handed approach of the police and there blatant violation of human rights, which have caused the image of the police to suffer.
16. Peace committees are an important tool to foster relations between two communities in a communally charged. Situation however it is alleged that in the areas of Miraj-Sangli-Ichalkaranji, the peace committees are only on paper.
17. The practice of erecting welcome-arch to welcome procession of Ganesh idols which proceed for immersion on Anant Chaturdashi dates back to 1987.
18. Barring the exception of 1983 there was no communal disturbance in the city of Miraj. Infact the city is known all over Maharashtra as an example of Hindu-Muslim community. In the light of the above fact it is strange and surprising that communal disturbances of such intensity should have occurred.
19. There was no objection from the Muslim community regarding the depiction of a historical tableau showing the slaying of Afzal Khan by Shivaji Maharaj.
20. A similar picture depicting the scene used in the welcome-arch is permanently erected at a place of Ashta, district Sangli, Taluka Walva. Till date nobody has taken any objection from the same.
21. The authorities had granted permission to erect the welcome-arch on 28th August. However on 3rd September the welcome-arch was completed. The authorities directed the removal of said arch without giving any written intimation giving the excuse of code of conduct which was in force since 31st August.
22. It is important to note that the controversial welcome-arch bore the name of a political party. If the authorities felt that the code of conduct would come in the way of the said arch, they could have directed the political party to cover their name on the welcome-arch. In fact it was told to fact finding committee that the concerned political party had no objection to cover their name but still the police and civic administration adopted a rigid stand resulting into the communal disturbance.

## Recommendations

1. During the curfew imposed at Miraj-Sangli-Ichalkaranji in the riots there are several incidents of Human Rights of ordinary citizenry being violated by police. Hence it is necessary to take corrective measures to avoid repetition of such incidents in future and to safeguard the human rights of citizens.
2. During police action against masses, in a communally charged situation human rights of ordinary citizen are always the first casualty. It is necessary to continually update and sensitise the police force to safeguard the human rights of citizens. It is recommended that the Director General of Police should initiate an action group under his personal supervision which will continually monitor such situations from the angle of human rights violation.
3. It is alleged that more than 500 innocent citizens, mostly youth were illegally detained by police. These allegations, constitute a serious violation of human rights and a judicial scrutiny of the cases registered against citizens during this period may be conducted and if prima facie no cases are made out against the accused they may be set at liberty. Those police officers responsible for filing false cases may be taken to task and action may be taken against them.
4. Considering the large number of cases of human right violation brought to light in these incidents, the Maharashtra Human Rights Commission (MSHRC) may initiate soumoto inquiry into the allegations and take necessary action against the guilty.
5. Lack of co-ordination and cohesion between the police authorities and civic administration was evident in this case. It is recommended that the inter-departmental coordination may be enhanced and Quick Reaction / Response Teams may be evolved to ensure cohesive coordination between departments.
6. Peace committees have in the past, have provide to be useful tool to avoid communal conflicts. Recommended that the state administration should revive and reorganised the peace committees at district level.
7. Allegation of communal bias against majority community are made against the police machinery during such communal disturbances. This sends wrong signals to the members of majority community and such issues are exploited by political parties for their vested interests. It is recommended that policy decision are made to insure that police investigate allegation in an impartial manner.
8. There is a general sentiment of resentment against the civic administration and police authority. It is recommended that concrete steps are taken to restore the confidence of the common citizens in civic administration and police machinery.